

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of: KOIKE, et al.

Serial No.: 09/642,883

Filed: August 22, 2000

For: PLANE DIFFRACTION GRATING BASED ON SURFACE
NORMAL ROTATION AND ITS APPLICATION TO AN OPTICAL SYSTEM



#20 P13 10/4/03

Group Art Unit: 2872

Examiner: A. CHANG

P.T.O. Confirmation No.: 8966

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: September 22, 2003

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 20, 2003 of the Primary Examiner.

The item(s) checked below are appropriate:

1. A petition for a three- month extension of time to respond to the Final Rejection is filed concurrently herewith.
 2. A response to the Final Rejection is filed herewith in accordance with 37 C.F.R. §1.116
 3. XX Fee -\$320.00 or _ Small Entity -\$160.00
- XX Enclosed
Not required (fee paid in prior appeal)
Charge to Deposit Account No. 01-2340

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In the event this Notice of Appeal is not considered to be timely filed, Applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this Notice.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP

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